

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.)
)
SERGIO RIOS,)
a/k/a Nick, Jose and Sergy)

1:05-cr-264-LSC

MOTION TO DECREASE DEFENDANT'S OFFENSE LEVEL
PURSUANT TO § 3E1.1(b), UNITED STATES SENTENCING GUIDELINES
(ACCEPTANCE OF RESPONSIBILITY)

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned Motion, and as reasons therefore, submits the following:

1. Defendant qualifies for a reduction in Defendant's sentence pursuant to U.S.S.G § 3E1.1(b) as Defendant assisted authorities in the investigation and prosecution of Defendant's own misconduct by timely notifying authorities of Defendant's intention to enter a plea of guilty, thereby permitting the United States to avoid preparing for trial and permitting the Government and this Court to allocate their resources efficiently.
2. Accordingly, pursuant to U.S.S.G § 3E1.1(b), the United States respectfully moves this Court to reduce the Defendant's offense level by one level. Combined with the two-level reduction applied to Defendant's offense level pursuant to U.S.S.G. § 3E1.1(a), a total reduction of three levels should be applied to Defendant's offense level for Defendant's acceptance of responsibility.

Respectfully submitted, this the 26th day of June, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

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ASB-1613-N77A

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CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Derek Yarbrough, Esquire.

Respectfully submitted,

s/A. Clark Morris
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